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April 16, 2009

Via Fax to 631 712-5677

Hon. Joseph F. Bianco
District Court Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Via Fax to 631 712-5766

Hon. A. Kathleen Tomlinson
Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Kevin and Alissa Hughes v. Bank of America, N.A. et al.*
08 CV 883 (JFB) (AKT)

Honorable Judges,

I am writing to advise the Court that as of April 14 I have been retained by the Plaintiffs to represent them in this matter. A Notice of Appearance has been electronically filed with the Court as of yesterday. The matter is currently scheduled for a telephone conference before Magistrate Judge Tomlinson on April 17 at 11:30.

It is my understanding that the defendant's counsel has raised the specter of Joseph Mauro being disqualified from continuing to represent the Plaintiffs based upon a claim that he might be a witness in the case. While it is certainly

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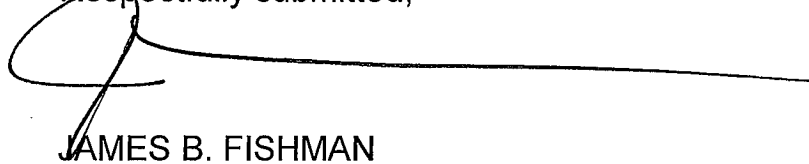
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not clear that disqualification is necessary, my firm has been retained to alleviate this potential issue. My office intends to represent the Plaintiffs before the Court and to try the matter if necessary. Mr. Mauro intends to continue to represent the Plaintiffs as is necessary to inform, consult and advise my office, but he will not advocate before the Court, unless otherwise authorized.

I respectfully request that the Court issue a 60 day stay of all proceedings so that I can obtain a copy of the file and become familiar with it. Additionally, I respectfully request that all current scheduling deadlines be extended 60 days. I have spoken with counsel for the Defendant and he advised that he does not oppose this request.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "James B. Fishman", with a long horizontal line extending to the right.

JAMES B. FISHMAN

cc: Thomas Stagg
Joseph Mauro